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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/841,077 | 04/25/2001 | Masashi Yamawaki | 02416-00008 | 5889 |

7590 04/19/2005
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
Suite 600
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5339

EXAMINER

TORRES, JUAN A

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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2631

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/841,077

Applicant(s)YAMAWAKI, MASASHI ☒**Examiner**

Juan A. Torres

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-16 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

Claim 17 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 17 doesn't add any limitation to claim 1.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilson (US 6118603 A).

As per claim 1 Wilson discloses a data processor comprising a receiving unit for receiving a series of data including predetermined marks and generating a plurality of parallel data from the series of data (figure 5 block 510 column lines 7 lines 53-56); and

a plurality of detecting units for detecting said predetermined marks for detecting synchronization from the plurality of parallel data (figure 5 blocks 515 and 516 column 7 lines 53-56).

As per claim 2 Wilson discloses that the plurality of detecting units detect the predetermined marks for detecting synchronization in a predetermined bit width among the series of data in parallel condition (figure 5 blocks 515 and 516 column 7 lines 53-56).

As per claim 3 Wilson discloses a generation timing selecting unit for selecting generation timing of the window for detecting the predetermined marks based on the predetermined marks for detecting synchronization (figure 5 block 506 column 7 lines 44-46).

As per claim 4 Wilson discloses a data demodulating unit for demodulating the series of data between the predetermined marks for detecting synchronization based on the predetermined marks for detecting synchronization (figure 5 block 556 column 11 lines 8-16).

As per claim 5 Wilson discloses a detection line memory unit for storing a detection line based on the predetermined marks for detecting synchronization (column 11 line 66 to column 12 line 8).

As per claim 6 Wilson discloses a data selecting unit for selecting data based on the predetermined mark for detecting synchronization (figure 5 block 564 column 11 lines 54-65).

As per claim 7 Wilson discloses a data counting unit for counting the series of data between the predetermined mark for detecting synchronization based on the predetermined marks for detecting synchronization (figure 5 block 542 and figures 6 and 7 column 9 lines 15-23).

As per claim 9 Wilson discloses a shift register to input the plurality of parallel bits connected with the detecting units in the same number as the number of parallel data (figure 5 block 510 column 7 lines 56-58).

As per claim 10 Wilson discloses a data processor for detecting predetermined marks for detecting synchronization included in a series of data read from a memory medium in order to establish synchronization at a time of transferring series of data to a controller unit from a read channel unit comprising: a receiving unit for receiving the series of data including predetermined marks for detecting synchronization and generating a plurality of parallel data from the series of data (figure 5 block 510 column lines 7 lines 53-56); and a plurality of detecting units for detecting the predetermined marks for detecting synchronization from the plurality of parallel data (figure 5 blocks 515 and 516 column 7 lines 53-56).

As per claim 11 Wilson discloses a method comprising the following steps of receiving a series of data including predetermined marks for detecting synchronization (figure 5 input block 510 line 508 column lines 7 lines 48-52); generating a plurality of parallel data from the series of data (figure 5 output of block 520 input of blocks 515 and 516 column 7 lines 53-58); detecting the predetermined marks for detecting synchronization from the plurality of parallel data to establish synchronization of the

series of data (figure 5 blocks 515 and 516 column 7 lines 53-56); and demodulating the series of data based on the predetermined marks for detecting synchronization included in the series of data (figure 5 block 556 column 11 lines 8-16).

As per claim 12 Wilson discloses a method where the predetermined marks for detecting synchronization are detected in a predetermined bit widths of the series of data in parallel condition (figure 5 blocks 515 and 516 column 7 lines 53-56).

As per claim 13 Wilson discloses a method where generation timing of a window for detecting predetermined marks is selected based on the detected predetermined marks for detecting synchronization (figure 5 block 506 column 7 lines 44-46).

As per claim 14 Wilson discloses a method where a detection line is stored based on the detected predetermined marks for detecting synchronization (column 11 line 66 to column 12 line 8).

As per claim 15 Wilson discloses a method where the data is selected based on the detected predetermined marks for detecting synchronization (figure 5 block 564 column 11 lines 54-65).

As per claim 16 Wilson discloses a method where the data between the detected predetermined marks for detecting synchronization is counted up (figure 5 block 542 and figures 6 and 7 column 9 lines 15-23).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juan A. Torres whose telephone number is (571) 272-3119. The examiner can normally be reached on Monday-Friday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad H. Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2631

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Juan Alberto Torres, Ph. D.
04-05-2005


MOHAMMED GHAYOUR
SUPERVISORY PATENT EXAMINER